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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/734,778	12/12/2000	Miroslav Trajkovic	US000379	4700

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EXAMINER

TRAN, TRANG U

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 04/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/734,778

Applicant(s)

MIROSLAV TRAJKOVIC ET AL

Examiner

Trang U. Tran

Art Unit

2614



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4, 5</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Rainville et al (Publication No US 2002/0069411 A1).

In considering claim 1, Rainville et al discloses all the claimed subject matter, note 1) the claimed a display configured to display a primary image and picture-in-picture image (PIP) overlaying the primary image is met by the television display 102(Figs. 1 and 3, page 2, [0021], [0027]), 2) the claimed a processor operatively coupled to the display and configured to receive a first video data stream for the primary image and to receive a second video data stream for the PIP is met by the settop box 101 (Figs. 1 and 6, page 2, [0022]-[0025] and page 3, [0033]-[0039]), and 3) the claimed a user input device operatively coupled to the processor and configured to alter a display characteristic of the PIP with respect to the primary image is met by the remote control 107 (Figs. 1 and 5, page 2, [0029]-[0032]).

In considering claim 2, the claimed wherein the display characteristic of the PIP is a transparency of the PIP and the processor is configured to alter the transparency of

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the PIP with respect to the primary image is met by the video/GFX control engine 208 (Fig. 6, page 3, [0037]).

In considering claim 3, the claimed wherein the processor is configured to render the PIP transparent by combining a weighted average of the first and second video data streams is met by the video/GFX control engine 208 (Fig. 6, page 3, [0037]-[0038]).

In considering claim 4, the claimed wherein the user input device is configured to provide a signal to the processor to adjust the weighted average in response to a user input is met by the remote control 107 (Figs. 1 and 5, page 2, [0029]-[0032]).

In considering claim 5, the claimed wherein the display characteristic of the PIP is a color bias of the PIP and the processor is configured to alter the color bias of the PIP with respect to the primary image is met by the position information and other display attributes such as color, border etc. for each of entity 305 are represented in a logical structure called a box 306 (Fig. 8, the position information and other display attributes such as color, border etc. for each of entity 305 are represented in a logical structure called a box 306 (Fig. 8, page 3, [0040]-[0057])).

In considering claim 6, the claimed wherein the processor is configured to alter the color bias of the PIP by combining a weighted average of the first video data stream and a color bias is met by the output 213 of the display formatter module 212 (Figs. 6 and 8, page 3, [0040]-[0057]).

In considering claim 7, the claimed wherein the user input device is configured to provide a signal to the processor to adjust the color bias of the PIP by adjusting the

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weighted average in response to a user input is met by the remote control 107 (Figs. 1 and 5, page 2, [0029]-[0032]).

In considering claim 8, the claimed wherein the color bias is one of a solid color bias or a color scheme is met by the color of television and graphic image (Fig. 5).

In considering claim 9, the claimed wherein the video display device is a television is met by the television display 102(Figs. 1 and 3, page 2, [0021], [0027]).

Claim 10 is rejected for the same reason as discussed in claims 1 and 2.

Claim 11 is rejected for the same reason as discussed in claim 3.

Claim 12 is rejected for the same reason as discussed in claims 2 and 3.

Claim 13 is rejected for the same reason as discussed in claims 7 and 8.

Claim 14 is rejected for the same reason as discussed in claim 7.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Westerink et al (US Patent No. 6,359,657 B1) disclose simultaneously displaying a graphic image and video image.

Yamada (US patent No. 6,330,002 B1) discloses image color blending processor.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Trang U. Tran** whose telephone number is **(703) 305-0090**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John W. Miller**, can be reached at **(703) 305-4795**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

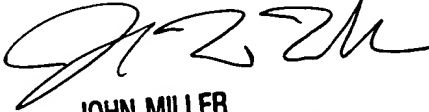
or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

TT TT
April 3, 2003


JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600